

FAMILY AND KINSHIP

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ing to the circumstances of the particular case. The woman's economic circumstances and her age are the basic determinants of whether or not she will remarry and whether or not her marriage will be accepted or criticized. A young divorcee or widow who has very young children or none can do little but remarry unless she is wealthy. A second marriage for her is generally acceptable. The woman with young children must have someone to support her and her children until they are old enough to contribute financially to the family. It is also felt that a young childless woman, and even a childless rich widow, should remarry, if for no other reason than to bear children who can later care for her and worship her after her death.

A woman wealthy enough to support herself and her children, or over thirty-five with older children who can or soon will be able to work is not considered honorable if she remarries. Since there is no pressing economic reason for her to marry again, if she manages to find a husband—and this is certainly difficult—she will be generally criticized. People usually assume that her only reason for remarrying was to fulfill her sexual passions, and they joke and laughingly speculate about her sex life. Therefore, such a woman does not usually remarry.

In the infrequent cases in the rural area today when a man and woman are divorced—often because the man has found himself another wife in Taipei—the woman will probably return to her native home if they will have her. An alternative solution is for her to go to the city or town to work and earn her own living, which is an innovation for women. If she returns to her native home, as happened in the one recent divorce case in Hsin Hsing, her family will probably attempt to arrange for her to remarry as soon as possible in order to rectify such an unnatural family situation. If a divorcee has children by her first marriage, any male children would almost automatically remain with their father or at least with his family. The divorcee from Hsin Hsing had one young daughter and was considered by everyone to be blameless in the divorce. She had been advised by the police—who had helped work out the terms of the divorce and make the final settlement¹¹—that she would be better off if she made her husband keep the little girl, since otherwise the child's presence would make it that much more difficult for her to start a new life either working or finding a new husband. In a sense, then, it was considered that she had won the divorce, since her husband had to take their little girl. The woman, of course, took back all the furniture and other items of her dowry which she had brought into the marriage.

Since the Hsin Hsing villagers realized that she was not at fault, although she was much talked about, she was not criticized. Nevertheless, even though she was still only in her middle twenties, she was now very limited in her choice of a marriage partner. The only men who

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178 people to get a glimpse of one another, and perhaps even to meet in a very formal situation. This most recent development has been precipitated by the general changes in the economic and social life of the village as a result of the great increase in mobility and contacts with urban centers.

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169 Two different factors are responsible for the increase in mobility; men are conscripted and leave the village or go alone to urban centers to seek employment. These men, whether single or married, tend to become more independent of family discipline. They have opportunities to meet women, and perhaps to have an affair. The unmarried man may well become less willing to be ordered back to the village one day in order to marry a girl, sight unseen and chosen for him by others. But the situation is even worse when a village man, married to a girl he had never seen and had not chosen, whom he does not yet care for, finds himself suddenly in love with a girl in the city. In such a case it is not unusual for him to stay in the city and live with the woman, refusing to go home to his legal wife. Today, this situation could end in divorce, which creates additional problems because of the need to return the engagement gifts and dowry. In addition, it is likely to inflict serious guilt feelings on the parents. On the few occasions when a village marriage has been dissolved, the parents who arranged the marriage seem to be the most seriously affected, questioning whether or not they had made a poor marriage choice for their son or daughter. It is consequently considered very important to avoid such situations, and many parents have expressed the feeling that since things are now different it is better to share some of the responsibility for arranging a marriage with the young people themselves.

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178 The young people who are allowed to share in the responsibility do so in several ways. Frequently, once the arrangements for a marriage are under way and the parents of the two families entertain favorable feelings towards one another, a meeting is arranged at which the young people can at least see each other. A favorite rendezvous is some large shop or theatre in Lukang. The two sets of parents arrive, each accompanied by the son or daughter. One family is escorted by the matchmaker who, from a distance, points out the girl to the boy and his family. Sometimes the boy and his family may visit the home of the girl. When they arrive, the girl may appear briefly and offer them tea and cigarettes.³

In each case, both the boy and, in turn, the girl are asked for an opinion about the tentatively chosen mate. The young people cannot really judge each other, except perhaps by looks, and if he or she is at all filial and respectful of the parents, can say little more than, "the girl looks all right," or "she is not too pretty, but if you [parents] think she is acceptable, then it is all right." In this way, the parents relieve

*583 for his wife's mother; and two of the children bear his wife's family's
591 name. Despite this evidence, however, the marriage is not generally
thought of in Hsiachichou as a matrilocal marriage, the primary reason
[829] being that Pe A-hong's husband has too much money. The attitude of
the villagers is that no man who was wealthy would marry into his
wife's family, and this must be simply a case in which a man has let
his wife's mother come to live with him and his family.

548 One of the two girls who became prostitutes when their marriages
failed was a young woman who had married matrilocally. When her
• [546] husband deserted her after quarreling with her parents, she was forced
to work in order to support the family. The second case involved a
548 woman by the name of Lim Li-kui whose history is one of the most
*549 complex in our genealogies. Born into a family living in the market
town of Panchiao, Lim Li-kui was adopted by an Ong family in Hsiachi-
chou when she was three or four years old. Why the Ong family adopted
her is not entirely clear. They already had female children of their

[76] own, and they had adopted sim-pu^À for both of their sons. is
possible that the family had a third son who died in childhood, and
that we missed him in collecting our genealogies because of their
reluctance to discuss the death. At any rate, when Lim Li-kui was
nine or ten years old the family decided that they had made a
mistake in adopting the girl, and "sold" her to a Lim family living
in the town of Chungli. This family adopted the girl to marry her to
548 their eldest son, but Lim Li-kui and the boy "didn't get along and so
*593 she married out of the family." This marriage turned out to be no
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- more to her liking than the one she avoided by marrying out, however,
• [586] and after only a year or two "she decided that she didn't like her husband and left." It was at this point that Lim Li-kui became a prostitute, evidently unable to find any other way to support herself. We heard from several people that she made a second transient marriage, although this may have been nothing more than a particularly faithful customer. All we know for a fact is that she bore a number of children, and that she adopted at least one daughter. It is curious that even though Lim Li-kui has been a member of at least four families during her life, it is always to her first foster family that she returns when she is in need of help. One of the women of the Ong family told us that she returned to Hsiachichou "whenever she had a fight with a man she was living with," and we know from various reports that the eldest of her two surviving daughters was largely raised by the Ong family.

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Beyond those cases we have already mentioned, there were also 6 younger women in Hsiachichou who had worked or were still working as prostitutes. The total number of prostitutes in our genealogies is thus surprisingly large. Of 131 women of twenty years of age or more who spent the majority of their childhood as members of families living in Hsiachichou at least 25 (19 percent) have worked for some period of time as prostitutes. Moreover, in 1960 there were at least three girls of less than twenty years who were then employed as "dark room girls,"

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to use the village euphemism. The conditions which predict a woman's becoming a prostitute become apparent when we look at their family

Iu Mui-mue: A Rejected Bride

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of gratitude to the son who had remained loyal to him. A poor family with no money and no land can marry a son to a foster daughter and their neighbors will think nothing of it; when a family as affluent as Lim Han-ci's makes such a marriage, it only reminds the neighbors of how insignificant that family was when the bride was adopted. The Lim family had climbed to a definite social position in their community and Lim Han-ci was willing to pay the price to maintain it.

Mui-mue's character and limited intellectual capacities cast doubt on her ability to function as the wife of the family's head. With the removal of his eldest son from an active role in family affairs, Lim Han-ci departed from custom and began to look to his second son as his natural successor. So long as he lived, Lim Han-ci retained and made the most of his authority as father, but he gradually turned over to Lim Chieng-cua the practical conduct of the family's affairs. Lim Han-ci continued to represent the family in the village and to conduct most of its external affairs, but more and more decisions about the use of family funds, the purchase of supplies, the keeping of family accounts, were delegated to Chieng-cua. As Chieng-cua's wife, Mui-mue would be expected to eventually assume management of the family's domestic affairs, and this was a task for which she had again and again demonstrated herself as unfit. By now the family was convinced that Mui-mue could not be trusted with access to their common purse. Lim A-pou would have been the ideal woman to fill this role, but that was impossible. The only solution was to remove Mui-mue and find another wife for Lim Chieng-cua.

From what I heard of her early personality and from what I can infer from her present behavior, the marriage Lim Han-ci negotiated for Iu Mui-mue seemed quite appropriate. Through the good offices of a go-between, she was quietly and respectably married to a medicine peddler from a nearby town. Medicine peddlers are rarely wealthy and usually spend a great deal of time traveling, but their life is full of variety and in general freer than that in the villages. This nomadic existence with its constant stimulation should have been ideal for Mui-mue, but for some reason it was not. Perhaps instead of traveling with her husband, she was left at home with his parents, or perhaps her easy ways and lack of judgment got her into trouble. Whatever the cause, the marriage lasted for a very short period, less than a year. I have reason to believe that the failure of the marriage rested on her actions since had it been otherwise, she would have returned to the

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The House of Lim

* 586 Lim home from which she was properly married and let them take responsibility for smoothing out the difficulties—a form of behavior in which Mui-mue was well practiced. Instead, Iu Mui-mue resumed the name of her natal family, although she did not revive any other relations with them, and moved to the city of Keelung. Keelung is a port city and the brothels there are not the prosperous, gay sin spots frequented by Tan A-hong and her daughter, Chun-ieng. Even in her youth Iu Mui-mue couldn't have been attractive enough to find employment in a better class house, and her lethargy and lack of intelligence would not have allowed her to try any other form of employment. Nonetheless, her good humor alone seems to have provided her with enough "friends" to support herself. She returned to the Lim household infrequently.

[114] Much to the disgust of some of our informants, the most scornful of whom had herself worked for several years as a prostitute, Mui-mue contracted syphilis. To be specific, the disgust of her acquaintances was engendered not so much by the fact that she contracted the disease, an obvious occupational hazard, but by the fact that she neglected it until her legs were a mass of loathesome sores. Someone finally forced medical attention on her and she was cured, but her legs are deeply scarred.

* 159 Iu Mui-mue was twenty-eight when her first child, a girl, was born. Her chronology is a bit hazy here since it was also at about this time that she began living with a gardener. After a few years she and the gardener were married. That is, they registered their names jointly with the police. Shortly after attaining this respectable status, Mui-mue succumbed to the attraction of the house of Lim and returned to Peihotien. She and her husband now rent another of the little houses owned by the Lims. She is in and out of the main house somewhat more than other neighbors, always helps in the kitchen when the family gives a big feast, is usually the first asked when A-bok must hire a woman to weed or clean vegetables. There is considerable reticence about discussing family affairs in her presence as she is no more capable of keeping a secret than she is capable of tact. In the family schism, she is notoriously prejudiced toward Lim A-pou's point of view and when lacking evidence for her case does not hesitate to manufacture it.

* 159 Iu Mui-mue's marriage seems as stable and as happy as any of 581 the other relationships in Peihotien, both formal and informal. Her

*159 next morning accompanied by her father's elder sister, a tiny, trim old
*596 lady dressed in black. Instead of summoning Ng Kui-lian, who should
*593 have been present at any negotiations between the two, Chui-ieng
578 informed her husband that she was leaving the family permanently. I
[604] cannot imagine what reaction she expected from her husband, but
[586] from her subsequent behavior it is clear that she didn't expect what
she received. Lim Chieng-cua agreed readily and said he would send
someone immediately to summon the police that they might remove
her name from the household registration and issue her a new police
book. After a stunned silence, Chui-ieng threw all her good sense to
the winds and with the biting sarcasm that has cost her so much
happiness said, "That will be fine, won't it? You will really be a
famous man now." She planted her final taunt with venom. "Yes,
everyone will talk about how great the Lim family is now." The aunt,
shocked less by her niece's outburst than by the dark red color ap-
pearing on Lim Chieng-cua's face, made an attempt to avert what was
[828] to come. She shouted at her niece, "Look at his face! You know his
health isn't good. It isn't good for his health to get so angry!" But she
was too late. In a frenzy, Lim Chieng-cua beat his wife about the
head, grabbed her by the hair, and threw her to the cement floor
where he punished her brutally with his feet. The aunt was frozen in
[123] horror and A-bok and his family were long ago at work in the fields. I
had to abandon my anthropological immunity and participate in some
direct foreign intervention. Lim Chieng-cua was literally shaking with
rage when he left the room—his arms were jerking uncontrollably.
The aunt's first statement when her tongue thawed was a typical
Taiwanese reaction to someone's physical injury. She began to scold
Chui-ieng.

By the time her foster mother arrived that afternoon, Chui-ieng's
right eye was swollen closed and her ear and the side of her head were
discolored with bruises and clotted blood. As soon as she saw her, the
mother began to cry, "It's all my fault. It's all my fault. Oh, to see my
daughter like this! Your grandmother and your father said that we
shouldn't marry you to a man with such a bad temper, but I wanted
this marriage. It is all my fault!"

Chui-ieng replied by begging her mother to take her home. "If I
stay here he will kill me. He will kill me, I know it. He said he would
[571] kill our daughter." The rest of that day and all of the next a parade of
people passed through Chui-ieng's bedroom, and streams of curious

597 is some overlap with the previous figures because an adop-
562 tion between families who both live in the village counts
162 twice, once as an "in" and once as an "out." The general
opinion of the villagers is that the number of adoptions
in and out of the village has been approximately equal.

597 One of the items of the household registration is
562 the birth order of the child, distinct for each sex.

[217] Birth orders are listed in Table 10 for the 31 adopted-in
females. Residents argue that daughters are usually given
in adoption because a family has too many already, but the
data is only partially supportive of this belief. A high
number of adopted children whose birth order is first or
second indicates other processes are significant although
nearly sixty per cent of the adoptions are from families
which already have three or more girls. Since girls do
not have a value as high as boys, it is quite probable that
younger girls will be released by families that have sev-
eral daughters. In some cases, it appears that economic
deprivation necessitates the release of girls although
there was only one family currently living in Sanlei who
supposedly gave away girls for this reason.

• [586] Divorce or widowhood among people who are not in-
corporated in larger chia also results in releasing chil-
dren who may have a birth order number which is first or
second. The exchange of natural daughters for adopted
daughters to promote later siaosiv marriages explains some

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585 wedding of an adopted-in husband is nearly the mirror image of this, the wedding feast held at the home of the bride.

Of course, many marriages are not this elaborate.

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585 In the case of a marriage between very poor people, many older people living alone, or if between a son and adopted daughter, there may be no marriage party or ritual recognition at all. Villagers refer to these kinds of marriage 587 as "putting the shoes under the bed" (See Glossary C). The latter type is also common for remarriage after divorce or death of a spouse for there is some disapproval of a second marriage, but nevertheless, everyone agrees a man or woman with small children must remarry fairly quickly. Only people with older children regularly fail to remarry. In a divorce, children are expected to remain with the father or, if he was an adopted-in husband, shared between father and mother.

587 The remarriage of a widow with children is expected to be with an adopted-in husband. By bearing a child, a woman has been fully incorporated into her first husband's family who will therefore probably play a part in the selection of the second husband. The second husband agrees to provide financial support for her previous children and if she had had several (which would likely reduce her marriage prospects), one may be given in adoption to a second husband as a marriage inducement.

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765 There is no long period of mourning holding up a remarriage. The day after the funeral of a miner killed in

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With regard to divorce, Ch'ing law states that a man can divorce a woman for seven reasons which are known as the Ch'i Ch'u or Seven Ousts: (1) Failure to serve the husband's parents and disobedience to them. (2) Failure to give birth to a son. (3) Dissoluteness of manners. (4) Jealousy. (5) Malignant disease. (6) Loquacity. (7) Larceny (Chui, 1966:61-8). Adultery is not listed here but was also a compelling reason for divorce. However, in the same law may be found the San Pu Ch'u or Three Non-Ousts, reasons why a wife cannot be divorced by her husband except on the grounds of adultery: (1) Mourned her husband's parents for three years. (2) Husband's poor family became rich after marriage. (3) She has no home to return to (Chiu, 1966:69-71). Chiu makes the point repeatedly that according to the law, men have "an exclusive right of divorce in ancient China" (1966:58). Even in divorce by mutual consent, traditionally permitted in China, the divorce is "effected in the name of the husband" (1966:60). Other scholars consistently agree, i.e., "divorce became exclusively the man's privilege and was practically equivalent to repudiation of the wife by the husband" (Lang, 1946:40).

However, a careful reading of Ch'ing law together with analysis of a sample of court decisions, does not support the above argument. All of the above facts are true but important omissions were made. The usual presentation implies the husband had the power to divorce his wife on the

562 grounds of any of the Ch'i Ch'u unless she possessed a San
• 586 Pi Ch'u. Additional laws clearly point out that not all
671 such divorces were optional, i.e., divorce was sometimes
mandatory. For example, one law states, "He who fails to
divorce a wife who has committed a crime involving a breach
of the marital relationship, shall be subject to 80 strokes"
(Chiu, 1966:95). In other words, if a woman violated one
of the Ch'i Ch'u and her husband refused to divorce her, he
would be punished by receiving 80 lashes. A wife who wanted
a divorce could misbehave, accuse her husband of failure to
divorce, and effectually cause him to be punished with 80
lashes. This could be repeated until the divorce was re-
ceived. In other words, a wife did have the means to obtain
a divorce but it was not as easy for her to initiate a di-
vorce action as it was for her husband and the process also
required her personal misbehavior. Both Chiu (1966:96) and
Alabaster (1899:183) cite examples of mandatory divorces
due to women's actions and Barclay (1954:210-37) suggests
divorce was often initiated by females.

114 Most authors have ignored the above mandatory aspect
562 of traditional Chinese divorce law. When a few have con-
586 sidered it, the seemingly overwhelming insistence on the
671 primacy of male prerogatives results in an illogical or in-
complete account. Lang for example notes three kinds of di-
vorce including "divorce by the compulsion of the authori-
ties" in one section (1946:40) but denies it in another

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section (1946:44), "Divorce, as already stated was entirely a man's privilege." But let me illustrate in greater depth with an extensive quotation from an otherwise scholarly account by a distinguished Chinese jurist and educator, Dr.

Vernier Y. Chiu, Ph.D., D.C.L., LL.B., M.A., Ph.B.:

. . . the compulsory clause in the Ch'ing law of divorce, which makes it obligatory on the husband to divorce his wife when the latter is guilty of an offence involving a breach of the marital relationship which by law requires a divorce on pain of receiving 80 strokes on the buttocks if he fails to send her away, is both obnoxious and absurd. Whatever its motive might have been--such as, for instance, a desire to adhere to the doctrine of the "Three Obediences and Four Virtues of Women," to preserve the unity of the clan and to maintain the harmony of the family--the clause referred to is fraught with misgivings. In the first place, it is inconsistent with the husband's exclusive right of divorce, and in fact it interferes with his discretionary power of exercising or not exercising that right. Secondly, if the husband is magnanimous and has forgiven his wife who has been guilty of a crime involving a breach of the marital relationship--such as adultery, for instance, which is considered an unforgivable offence tending to disrupt the unity of the clan, disturb the harmony of the family and bring disrepute upon the husband--it will be highly ridiculous for the law to interfere and punish him for his magnanimity and his readiness to forgive, both of which are virtues respected by every Chinese. Besides, the clause in question is likely to encounter difficulties in enforcement because any deliberate act tending to alienate the affection of husband and wife is deemed an iniquity in China and magistrates are not, in conscience, too ready to take the responsibility upon themselves to forcibly sever husband and wife who are determined not to be separated.

Dr. Chiu recognizes that the law is "inconsistent with the husband's exclusive right of divorce." However, instead of logically concluding that this necessarily means man does not have an exclusive right to divorce, he calls the law

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586 "obnoxious and absurd" and "fraught with misgivings" which
671 it may well be but this is irrelevant to the fact of ex-
114 clusiveness. As is quite clear from the facts, man does not
121 have exclusive rights to divorce in China and as far as I
562 am able to determine, he never did have exclusive rights
586 but since acknowledgement of other than complete right of
671 males to divorce would be inconsistent with the theme of
the Great Tradition which emphasizes the male prerogatives,
it is nearly impossible for the scholar to either confront
or overcome the exceptions. Instead, there will be a ten-
dency previously discussed in conjunction with cognitive
dissonance theory to either "deny the facts which are not
in agreement with the previous knowledge" as is illustrated
immediately above in the example of Chiu or to ignore the
contrary evidence entirely as in Lang's discussion of
divorce (1946).

Conclusions and Suggestions for Future Research

121 The Great Tradition of China maintains that the
562 social position of women is extremely low when compared to
the social position of men. I have demonstrated by means of
a case study of a contemporary Chinese community on Taiwan
that women do have a lower status than men but that the dif-
ferences are not as great as would be expected from a cur-
sory examination of the literature and moreover, that many
women play roles simply not permitted by the supposed value
system, i.e., household head, political official, potmaster.